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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/774,930	01/31/2001	Sara H. Basson	YOR920000739US1	5324

7590 02/02/2004

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EXAMINER

LEE, MICHAEL

ART UNIT	PAPER NUMBER
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2614

DATE MAILED: 02/02/2004

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Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/774,930

Applicant(s)

BASSON ET AL.

Examiner

M. Lee

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 31 January 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-48 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-48 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 5/18/01 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 4,5.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-12, 14-26, 28-30, 32-43, 45-47 are rejected under 35 U.S.C. 102(b) as being anticipated by You et al. (5,946,046).

Regarding claim 1, You discloses a caption processing and display device showing a remote control 60 with a LCD display 57 for receiving closed caption data from a switching unit 52, which meets the obtaining step as claimed, a LCD driving circuit 55 for processing the received closed caption data, which meets the processing step as claimed, and the LCD display which meets the providing step as claimed.

Regarding claim 2, the LCD 57 and monitor 54 in You are two separate units.

Regarding claim 3, monitor 54 in You is a television monitor.

Regarding claim 4, the closed caption data presented on the LCD display in You is synchronized with the image information displayed on the television monitor 54.

Regarding claim 5, the closed caption data is obtained from a transcription service.

Regarding claim 6, television programs inherently include prestored transcriptions along with the video contents. You is intended to receive such programs and display on the LCD.

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Regarding claim 7, the closed caption data in You is presented on the LCD display 57 by the request of the user and are transmitted in real time.

Regarding claim 8, the closed caption data in television studios are generated either by a stenographer, an automatic speech reorganization system, or a real-time alignment of a prestored transcription.

Regarding claim 9, closed caption data in You are intended to be multilingual. For instance, a television program can have English closed caption while the second audio program (SAP) channel carries a different language closed caption, or a DVD player can provide different closed caption languages to the viewers.

Regarding claim 10, in order to provide a multilingual closed caption service, a translation service is needed. Such service is inherently included when a closed caption is being translated to another language.

Regarding claim 11, the obtained signal in You is a television signal.

Regarding claim 12, as illustrated in Figure 3, the received input signal is split or redirected at the input terminal—one goes to the mixer 53 while the other goes to the caption data processor 53.

Regarding claim 14, as illustrated in Figures 5 and 9, the system elements are linked by either a wire link or wireless link.

Regarding claim 15-26, 28, see the corresponding rejections as set forth above.

Regarding claim 29, You shows a communication module (see Figure 10).

Regarding claim 30, see remote controller 60.

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31, 48

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Regarding claims 32-43, 45-47, in addition of above rejections, You inherently includes a transmitter for transmitting closed caption data.

3. Claims 1-48 are rejected under 35 U.S.C. 102(b) as being anticipated by Beadles et al. (5,648,789).

Regarding claim 1, Beadles discloses a portable closed caption display device showing a television signal that includes closed caption (col. 2, lines 15-27, col. 7, lines 23-31), which meets the obtaining step as claimed, processing steps (61, 62, 65) which meet the processing step as claimed, a LED array for presenting the caption information to the viewer (20) which meets the providing step as claimed.

Regarding claim 2, Beadles shows that the theater screen and LED array 20 are two different units.

Regarding claim 3, Beadles shows a movie theater screen.

Regarding claim 4, the video signals and the closed caption information in Beadles are synchronized with each other.

Regarding claim 5, the television signal received in Beadles is inherently transmitted from a transcription service.

Regarding claim 6, television programs inherently include prestored transcriptions along with the video contents. Beadles is intended to receive such programs and display on the LCD.

Regarding claim 7, the closed caption data in Beadles is presented on the LED array by the request of the viewer and are transmitted in real time.

Regarding claim 8, the closed caption data in television studios are generated either by a stenographer, an automatic speech recognition system, or a real-time alignment of a prestored transcription.

Regarding claim 9, the closed caption data in Beadles are intended to be multilingual. For instance, a television program can have English closed caption while the second audio program (SAP) channel carries a different language closed caption, or a DVD player can provide different closed caption languages to the viewers.

Regarding claim 10, in order to provide a multilingual closed caption service, a translation service is needed. Such service is inherently included when a closed caption is being translated to another language.

Regarding claim 11, the signal in Beadles is broadcast television signal.

Regarding claim 12, as illustrated in Figure 11, the image information and closed caption information are redirected into different routes.

Regarding claim 13, the display device 110 is a head mounted display.

Regarding claim 14, as illustrated in Figure 11, the system elements are linked by wire and wireless.

Regarding claim 15-28, see corresponding rejections as set forth above.

Regarding claim 29, see infrared receiver 61.

Regarding claim 30, see col. 9, lines 36-44.

Regarding claim 31, see col. 9, lines 26-36.

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Regarding claims 32-48, in addition of above rejections, Beadles inherently includes a closed caption transmitter for transmitting closed caption data.

Conclusion

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Chang (5,543,851) shows a closed caption translator.

Kwoh (6,456,331) shows a multilingual display system.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to M. Lee whose telephone number is **703-305-4743**.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **John Miller**, can be reached at **703-305-4795**.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington, D.C. 20231

or faxed to:

(703) 872-9306 (for Technology Center 2600 only)

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA, Sixth Floor (Receptionist).

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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Technology Center 2600 Customer Service Office whose telephone number is (703) 306-0377.



M. Lee
Primary Examiner
Art Unit 2614

January 23, 2004